

- 7 -

Babin *et al.*
Appl. No. 10/722,120**Remarks**

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-19 are pending in the application, with claims 1, 8, and 15 being the independent claims. The amendments above are believed to introduce no new matter, and their entry is respectfully requested.

Examiner Interview

Applicants and Applicants' representative thank Examiner Heitbrink for the courtesy extended during the interview of February 28, 2006. As noted in the Examiner interview, the term "diamond-type coating" was discussed. Also, it was discussed that the term "diamond-like coating" is a term of art. It was further discussed that the Gellert '604 patent does not disclose a coating. U.S. Patent Nos. 6,921,257 and 6,971,869 were also discussed.

35 U.S.C. § 112 Rejection

Claims 1-6, 8-13, and 15-18 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. In particular, the Examiner rejected the claims based on the term "diamond-type coating". The claims have been amended to recite that the coating is a "diamond or diamond-like coating". As discussed with the Examiner, a "diamond-like coating" is a term that is known in the art and therefore is definite. Support for this amendment can be found at least at paragraph 0031 of the specification, where it is described that the wear-resistant coating of the present invention is a

- 8 -

Babin *et al.*
Appl. No. 10/722,120

“diamond or diamond-like protective film or coating”. Accordingly, Applicants respectfully request that the rejection be withdrawn.

35 U.S.C. § 102(b) Rejection

Claims 1, 4, 5 (as dependent upon claims 1 and 4), 8, 11, 12 (as dependent upon claims 8 and 11) and 15-17 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,658,604 to Gellert et al. As agreed during the Examiner interview of February 28, 2006, the Gellert et al. patent does not disclose each and every element recited in independent claims 1, 8, and 15 of the present application. For example, the Gellert et al. patent does not disclose a diamond or diamond-like coating. Accordingly, the Gellert et al. patent does not anticipate these claims. Claim 4, 5, 8, 11, 12, 16, and 17 depend from and add features to independent claim 1, 8, or 15, and therefore are not anticipated by the Gellert et al. patent for at least the same reasons as claims 1, 8, and 15. Applicants therefore respectfully request that the rejection be withdrawn.

During the February 29, 2006 interview, the Examiner noted U.S. Patent Nos. 6,921,257 and 6,971,869. These patents disclose a wear-resistant material at a downstream end 404 of a nozzle tip 402. However, the '257 and '869 patents do not disclose a diamond or diamond-like coating, as recited in the claims of the present application. Instead, the wear-resistant material is tungsten carbide.

35 U.S.C. § 103(a) Rejections

Claims 2, 3, 5 (as dependent upon claims 2 and 3), 9, 10, and 12 (as dependent upon claims 9 and 10) stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Gellert et al. '604 patent. Claims 2, 3 and 5 depend from independent claim 1

- 9 -

Babin *et al.*
Appl. No. 10/722,120

and claims 9, 10, and 12 depend from independent claim 8. As noted above with respect to the 35 U.S.C. § 102(b) rejection, the Gellert *et al.* '604 patent does not disclose a diamond or diamond-like coating. Such a coating would not have been obvious to one of ordinary skill in the art in view of the Gellert *et al.* '604 patent because it does not disclose a coating at all. Further, the Gellert *et al.* '604 patent already discloses to make the entire tip portion of the nozzle out of a wear-resistant material, therefore one of ordinary skill in the art would not have been motivated to add a diamond or diamond-like coating to the tip. Applicants therefore respectfully request that the rejection be withdrawn.

Claims 6, 7, 13, 14, 18, and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Gellert *et al.* '604 patent in view of U.S. Patent No. 6,656,329 to Ma *et al.* Claims 6, 7, 13, 14, 18, and 19 each depend from one of independent claims 1, 8, and 15. As noted above, the Gellert *et al.* '604 patent does not disclose each and every element of claims 1, 8, and 15. The Ma *et al.* does not address the deficiencies in the Gellert *et al.* '604 patent. Accordingly, claims 6, 7, 13, 14, 18, and 19 are patentable over the Gellert *et al.* '604 patent and the Ma *et al.* patent for at least the same reasons as claims 1, 8, and 15. Applicants therefore respectfully request that the rejection be withdrawn.

Conclusion

Applicants believe that the amendments presented above do not present new matter and that the claims are in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

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p. 11


- 10 -

Babin *et al.*
Appl. No. 10/722,120

Prompt and favorable consideration of this Amendment and Reply is respectfully
requested.

Respectfully submitted,

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